

**Listing of Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) A method for providing at least one energy management program to a customer of a utility of a commodity, the energy management program aimed at allowing the utility to manage demand for the commodity, the utility delivering the commodity to at least one customer site, the customer site having a plurality of devices which use the commodity, including the steps of:

defining the energy management program at the utility, the energy management program having a subset of the plurality of devices at the customer site for which usage of the commodity may be managed by the utility by activating the energy management program;

allowing the customer to selectively subscribe to the energy management program;

delivering the commodity to the subset of devices;

measuring the instantaneous rate at which the commodity is being delivered to the subset of the devices; ~~and~~

sending the instantaneous rate of commodity consumption for each device within the subset to the utility in real time;

determining at the utility, in real time, the capacity of commodity that can be managed by the utility by activating the energy management program, the capacity being determined by the instantaneous rate at which the commodity is being delivered to the subset of the plurality of devices;

selectively activating the energy management program to manage the usage of the commodity; and,

determining, in real time, at least one of a rate and a change in a rate at which the commodity is being delivered to the subset of the devices after activation of the energy management program.

2. (Cancelled)
3. (Currently amended) A method, as set forth in claim 12, including the step of determining an actual change in a rate of consumption of the commodity, in real time, after activation of the energy management program and recording the rate of change in a memory.
4. (Withdrawn) A method, as set forth in claim 3, including the step of providing at least one of an alternative rate and a billing adjustment to the customer as a function of the actual capacity saved at the related customer site by the program.
5. (Withdrawn) A method, as set forth in claim 4, wherein the at least one of an alternative rate and a billing adjustment is also a function of historical usage information.
6. (Withdrawn) A method, as set forth in claim 4, wherein the at least one of an alternative rate and a billing adjustment is a function of an actual cost related to the commodity while the program is activated.
7. (Withdrawn) A method, as set forth in claim 2, including the step of verifying management of the devices within the subset of the devices.
8. (Original) A method, as set forth in claim 1, including the step of providing a user interface for interaction with the customer.
9. (Original) A method, as set forth in claim 8, wherein the user interface is accessible through a web browser.
10. (Original) A method, as set forth in claim 1, wherein each device has an associated node, and the method includes the step of allowing the customer to control one or more of the devices through the associated node.
11. (Previously presented) A method, as set forth in claim 1, wherein the utility delivers the commodity to a plurality of customer sites, each customer site having a

plurality of devices and the step of defining the energy management program includes the step of including within the energy management program all devices of a similar type.

12. (Previously presented) A method, as set forth in claim 1, wherein the utility delivers the commodity to a plurality of customer sites, each customer site having a plurality of devices and the step of defining at least one energy management program includes the step of defining a plurality of energy management programs, each energy management program having a respective subset of the devices.

13. (Currently amended) A method, as set forth in claim 1, including the steps of:

~~activating the energy management program; and,~~

allowing the customer to selectively cancel the energy management program when activated.

14. (Original) A method, as set forth in claim 1, including the steps of:  
setting a budget goal; and,

monitoring an aspect of usage of the commodity related to the budget goal.

15. (Original) A method, as set forth in claim 14, wherein the budget goal is defined in terms of usage of the commodity.

16. (Original) A method, as set forth in claim 14, wherein the budget goal is defined in terms of cost of actual amount of the commodity used.

17. (Original) A method, as set forth in claim 14, wherein the budget goal is defined relative to a predetermined time period and the method includes the step of generating an alert if actual usage will exceed the budget goal in the predetermined time period.

18. (Original) A method, as set forth in claim 17, wherein the alert is sent to the customer.

19. (Original) A method, as set forth in claim 17, wherein the alert is sent to the utility.

20. (Original) A method, as set forth in claim 1, wherein the commodity is electrical power.

21. (Original) A method, as set forth in claim 1, wherein the commodity is water.

22. (Original) A method, as set forth in claim 1, wherein the commodity is gas.

23. (Currently amended) A method, as set forth in claim 1, including the step of automatically activating the energy management program under a predetermined set of conditions.

24. (Original) A method, as set forth in claim 23, wherein the predetermined set of conditions includes at least one of a time of day and a day.

25. (Previously presented) A method, as set forth in claim 1, including the step of manually activating the energy management program as a function of an actual demand of the commodity.

26. (Previously presented) A method, as set forth in claim 1, wherein the energy management program at least one of shifts demand away from a first time period and eliminates demand for the first period.

27. (Previously presented) A method, as set forth in claim 1, including the step of controlling the subset of devices in response to activation of the energy management program.

28. (Original) A method, as set forth in claim 27, wherein the step of controlling the subset of devices includes the step of at least one of preventing and limiting usage of the commodity during a predetermined period of time.

29. (Original) A method, as set forth in claim 27, wherein at least one of the devices has an operating setpoint, and wherein the step of controlling the subset of devices includes the step of modifying the setpoint.

30. (Previously presented) A method, as set forth in claim 1, wherein each device has an associated node, and the method includes the step of downloading to each node, a program schedule containing scheduling information for the energy management program.

31. (Cancelled)

32. (Cancelled)

33. (Currently amended) A system for providing an energy management program to a customer of a utility of a commodity, the utility delivering the commodity to at least one customer site, the customer site having a plurality of devices which use the commodity, the energy management program aimed at allowing the utility to manage demand for the commodity and having a subset of the plurality of devices for which usage of the commodity may be managed by activating the energy management program, comprising:

a user interface for allowing the customer to selectively subscribe to the energy management program;

a distribution network coupled to the subset of devices for delivering the commodity to the subset of devices; and,

a control system coupled to the distribution network for controlling delivery of the commodity and activating the energy management program; and

at least one node coupled to the subset of devices for measuring the instantaneous rate at which the commodity is being delivered to the subset of the devices and for sending the instantaneous rate for each device within the subset to the utility in real time, the at least one node adapted to measure the rate at which the commodity is being

delivered to the subset of the devices after activation of the energy management program and send the measured rate to the control system such that the control system can determine the consumption of the commodity after activation of the program.

34. (Cancelled)

35. (Currently Amended) A system, as set forth in claim ~~33~~34, wherein the control system determines an actual rate of change in the rate of consumption induced by activating the energy management program.

36. (Withdrawn) A system, as set forth in claim 35, wherein the control system determines at least one of an alternative rate and billing adjustment to the customer as a function of the actual capacity saved at the related customer site by the program.

37. (Withdrawn) A system, as set forth in claim 36, wherein the at least one of an alternative rate and billing adjustment is also a function of historical usage information.

38. (Withdrawn) A system, as set forth in claim 36, wherein the at least one of an alternative rate and billing adjustment is a function of an actual cost related to the commodity while the program is activated.

39. (Withdrawn) A system, as set forth in claim 34, wherein the control system including verifies curtailment of the devices within the subset of the devices.

40. (Original) A system, as set forth in claim 33, wherein the user interface is accessible through a web browser.

41. (Original) A system, as set forth in claim 33, wherein each device has an associated node for allowing the customer to control one or more of the devices through the associated node.

42. (Previously presented) A system, as set forth in claim 33, wherein the utility delivers the commodity to a plurality of customer sites, each customer site having a

plurality of devices and the energy management program includes all devices of a similar type.

43. (Previously presented) A system, as set forth in claim 33, wherein the utility delivers the commodity to a plurality of customer sites, each customer site having a plurality of devices, wherein a plurality of energy management programs are defined, each energy management program having a respective subset of the devices.

44. (Previously presented) A system, as set forth in claim 33, wherein the user interface allows the customer to cancel the energy management program after it has been activated.

45. (Original) A system, as set forth in claim 33, wherein the user interface allows the customer to set a budget goal and the at least one node monitors an aspect of usage of the commodity related to the budget goal.

46. (Original) A system, as set forth in claim 45, wherein the budget goal is defined in terms of usage of the commodity.

47. (Original) A system, as set forth in claim 45, wherein the budget goal is defined in terms of cost of actual amount of the commodity used.

48. (Original) A system, as set forth in claim 45, wherein the budget goal is defined relative to a predetermined time period and the at least one node generates an alert if actual usage will exceed the budget goal in the predetermined time period.

49. (Original) A system, as set forth in claim 48, wherein the alert is sent to the customer.

50. (Original) A system, as set forth in claim 48, wherein the alert is sent to the utility.

51. (Original) A system, as set forth in claim 33, wherein the commodity is electrical power.

52. (Original) A system, as set forth in claim 33, wherein the commodity is water.

53. (Original) A system, as set forth in claim 33, wherein the commodity is gas.

54. (Currently amended) A system, as set forth in claim 3334, wherein the control system automatically activates the energy management program under a predetermined set of conditions.

55. (Original) A system, as set forth in claim 54, wherein the predetermined set of conditions includes at least one of a time of day and a day.

56. (Currently amended) A system, as set forth in claim 3334, wherein the control system allows the energy management program to be manually activated as a function of an actual demand of the commodity.

57. (Previously presented) A system, as set forth in claim 33, wherein the energy management program at least one of shifts demand away from a first time period and eliminates demand from the first time period.

58. (Currently amended) A system, as set forth in claim 3334, wherein the control system controls the subset of devices in response to activation of the energy management program.

59. (Original) A system, as set forth in claim 58, wherein the control system at least one of prevents and limits usage of the commodity during a predetermined period of time.

60. (Currently amended) A system, as set forth in claim 3334, wherein at least one of the devices has an operating setpoint, and wherein control system the subset of devices by modifying the setpoint.



61. (Currently amended) A system, as set forth in claim ~~33~~34, wherein the control system downloads a program schedule containing scheduling information for the energy management program to the at least one node.

62. (Cancelled)

63. (Cancelled)